



5 March, 1987

BY EXPRESS MAIL

John F. Lynch, Jr., Esquire  
Carpenter, Bennett & Morrissey  
Gateway Three  
100 Mulberry Street  
Newark, New Jersey 07102

Re: Duane Marine Site, Perth Amboy, New Jersey  
Administrative Orders Nos. II-CERCLA-50102, II-CERCLA-50105,  
and II-CERCLA-50107

Dear Mr. Lynch:

I write to report the concerns of the U.S. EPA, relayed to me by EPA's technical staff after a site inspection and on-site meeting with a representative of the Duane Marine Steering Committee on February 26, 1987.

By your letter of February 17, 1987, you indicated that your consultant had advised you of its belief that, as a result of on-site activity which recommenced on January 19, 1987, "all the requirements of the Orders referenced above, the Work Plans developed thereunder, and the directions given by your [EPA's] office and your on-scene coordinator in furtherance of those Orders and Plans will have been completed by the close of business on Friday, February 26, 1987."

We disagree with your consultant's assessment of the facts in the matter. EPA's specific concerns follow:

(1) Decontamination of on-site and off-site vessels and containers. Apparently, some of the vessels and containers subject to the administrative orders have been decontaminated, and others have not. EPA will need documentation to show which tanks were so treated, and which were not. For tanks not so treated, please state why they were not.

While some of the on-site vessels and containers appear to have been satisfactorily decontaminated by sandblasting, EPA's inspection revealed that

certain of the on-site vessels and containers have not yet been so treated. By letter dated July 1, 1986, EPA advised the Committee that we would require proof that no hazardous substances remained in or on the surfaces of these items, if they were to be left on the site.

When EPA inspected the site, it found that only seven (7) of the aforementioned vessels and containers ("tanks") had in fact been decontaminated. The August, 1986, Supplemental Work Plan approved by EPA did not identify a number of tanks to be decontaminated, but rather, it specified that vessels that still contained hard-to-remove residue, as agreed to by U.S. EPA, would be sand-blasted down to bare metal.

EPA's concerns are that (a) it was not consulted for its agreement with the Committee's assessment of the tanks, as to which of them would require sand-blasting; and that (b) to date we have not been provided with any proof that no hazardous substances remain in or on the surfaces of the tanks that were not sand-blasted.

(2) T-27 containment area. As specified in EPA's letter of July 1, 1986, and iterated in our letter of August 29, 1986, contaminated soils from within the diked area were to have been excavated and disposed of in accordance with their analytical classification. EPA's inspection revealed that this task had not been completed. Within the diked area, the south, east, and west areas remain to be excavated and debris and soil removed.

(3) Railroad bed. Exposed soils from the disused railroad grade in the northwest area of the site were to have been excavated to a depth of at least one foot and removed for off-site disposal. On inspection, EPA now finds that debris removal in the southernmost fifty feet of the railroad track area has not been completed. The remaining debris should be removed.

(4) Surface debris and contaminated soil. EPA's inspection revealed that, indeed, some of the loose soils from the surface of the concrete pad had been collected. Due to snow conditions, however, it was not possible to fully determine the adequacy of the soil removal at the time of the site inspection. Areas of concern, noted at present, are two areas mentioned above, namely, the T-27 containment area and the railroad bed, as well as stained soil east of the concrete platform and north of the T-27 containment area, upon which trailers are now parked.

(5) Site security. EPA has repeatedly requested that the hole in the northeastern portion of the fence be repaired. To date, this has not been accomplished. Also, the western portion of the fence appears to have been damaged during soil excavation activity, and it should be repaired.

EPA must state here its often-repeated concern with breaches in site security. When they arrived for the February 26 site visit, EPA representatives found the Washington Street gate standing wide open. The security guard professed to have no knowledge of this condition, or even of the existence of any gate.

Until the time comes when all work has been satisfactorily completed under the terms of the administrative orders referenced above, please ensure that the guard take all steps reasonably necessary to maintain the security of the site against all unauthorized entry by any persons.

When all work has been satisfactorily completed and the site security guard service is removed, please ensure that both gates are left locked, and the keys to both gates are delivered to EPA's On-Scene Coordinator ("OSC").

Please advise EPA at your earliest convenience, but no later than March 13, 1987, of any further plans for on-site activity. EPA's OSC must be advised of any plans for on-site activity before it occurs. Also, would you kindly require your consultant to communicate directly with the OSC, instead of with Technical Assistance Team ("TAT") personnel, concerning decisions regarding completion of work at the site.

Finally, please note that we are sending copies of this letter to representatives of Fred C. Hart Associates, in their capacity of Designated Coordinator, as you agreed to when we spoke earlier this week. The State of New Jersey (NJ DEP) has requested a copy of this letter as well.

Sincerely,

Margaret Thorpe  
Attorney  
NJ Superfund Branch  
Office of Regional Counsel

cc: Michael Barbara, Gregory Sulem  
Fred C. Hart Associates, Inc.

Phrova Manjapane, NJSDF

bcc: ✓ Janet Feldstein, 2ERRD-SCB (NNJ)  
John Ulshoefer, 2ERRD-RP